



**Indiana Pro Bono Commission
One Indiana Square, Suite 530
Indianapolis, IN 46204**

**Indiana Bar Foundation
230 East Ohio Street, Suite 200
Indianapolis, IN 46204**

COMBINED 2005 DISTRICT REPORT, 2007 PRO BONO GRANT APPLICATION, AND 2007 PLAN

Pro Bono District: 9

Applicant: District 9 Pro Bono Program

Mailing Address: P.O. Box 94

City: Richmond, IN **Zip:** 47374

Phone: 765-935-5053 **Fax:** 765-973-9250

E-mail address: dist9pb@yahoo.com

Judicial Appointee: Judge Barbara Harcourt

Plan Administrator: Dawn Dishman

Names of Counties served: Rush, Franklin, Fayette, Union and Wayne

Percentage of volunteer attorneys (as defined on page 3) who accepted a pro bono case in 2005 per registered attorneys in district, i.e. the district's pro bono participation rate 30%. To the extent the pro bono participation rate information is available by county, please provide below.

Number of potential clients requesting help in 2005 (limit this to actual intake done or sessions in which plan administrator or his/her delegate provided more than minimal assistance): 86

Amount of grant received for 2006: \$15,500.00

Amount of grant (2006 & prior years) projected to be unused as of 12/31/06: \$5792.00

Amount requested for 2007: \$35,000.00

One supplemental, explanatory page may be added to the end of this report and plan.

2007 PLAN SUMMARY

1. Please write a brief summary of the 2007 grant request. Please include information regarding your district's planned activities including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion. The grant request should cover needs to be addressed, methods, target audience, anticipated outcomes, and how past difficulties will be addressed.

The District 9 Pro Bono Committee will continue to have scheduled committee meetings on a quarterly basis. When CLE, other trainings or special events are scheduled meetings will be scheduled accordingly to help prepare for the events.

It is the goal of the Committee to hold an annual attorney recognition event to recognize those volunteer attorneys who have taken pro bono cases during the preceding calendar year. Awards will be given to those attorneys who have put in the most hours and demonstrated an outstanding commitment to offering their services on a pro bono basis. The first annual Recognition Event will be held on August 12, 2006 at the Forrest Hills Country Club and will consist of a sit-down dinner, guest speakers, and an award ceremony. The Committee plans to offer small tokens of appreciation to the participating attorneys throughout the entire year.

In an effort to continue its mission and promote Commission services, the Committee will utilize local newspapers, radio stations and other media outlets. We continually place an informational flyer at every courthouse in all five counties as well as distribute them to area social services agencies. The Committee has discussed starting a website for District 9 that would include a description of our services, income guidelines, priority criteria, a downloadable intake form and links to our email and other various important information sources. This is still in the preliminary planning stages.

The Committee has seen a dramatic rise in cases filed pro se within the District. We are currently discussing various ways of best addressing the needs of those who choose to file pro se, such as, Talk to a Lawyer Day, pro se clinics, ask an attorney live chat and other ideas.

Cooperation of clients with their volunteer attorneys is an ongoing issue being addressed by the Committee. In an effort to better educate our clients as to what is expected of them the program passes out a sheet to each client explaining the client's rights and their role with their volunteer attorney. The Client must also sign a "retainer" outlining what is expected of the client and also explaining that their volunteer attorney may withdraw from the case if the client is not cooperating. We also plan to distribute a pamphlet to area attorney in hopes of better educating them about the individual needs of low-income clients.

The Committee continues to deal with the issue of stagnant attorney participation in pro bono cases by area attorneys. We will continue to offer CLE seminars as an incentive to participate in the program. The Judges within District 9 have recently sent letters to all area attorneys encouraging their participation as well as handing out attorney registration forms to those that come before their court. We have already seen some success from both of these endeavors and will continue these efforts. We hope the annual attorney recognition event as well as small “thank yous” throughout the entire year will ensure participating attorneys understand their efforts are needed and much appreciated.

District 9 Pro Bono Program is currently seeking to take the part-time administrator to full time as the needs of the district warrant it. A part-time administrator is unable to fully serve all five counties and initiate new programs and projects due to the severe time constraints. A full-time administrator would better be able to address the needs of the entire district as well as develop new services and programs to be offered by the district.

2005 REPORT OF VOLUNTEER ATTORNEY CASES IN DISTRICT 9

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 3A. Please list each attorney only once in the volunteer attorney column but complete one line for each pro bono case for that attorney.

Definitions

Case: A legal matter referred to and accepted by a pro bono attorney volunteer. This includes mediation and GAL services.

Volunteer Attorney: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program. This does not include attorneys who are on the list of pro bono volunteers but who have never taken a case. The case numbers do not include cases screened, only cases actually referred to a pro bono attorney. This also includes an attorney who has worked solely on a pending pro bono case that was neither opened nor closed during the reporting year.

Case Type: Please use the abbreviations listed in Indiana Supreme Court Administrative Rule 8(B)(3) or any other defined abbreviation.

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): _____

IOLTA funding accounts for 100 % of total pro bono provider budget. Please state the percentage of volunteers and cases which are attributable to IOLTA funding 100%. If this percentage is substantially more than the percentage of IOLTA funding, please explain.

Volunteer Attorney Name	County	Number of new cases accepted/opened in 2005	Number of cases closed in 2005	Number of cases pending in 2005 that were neither opened nor closed in 2005	Number of hours for cases closed in 2005 (column 4)	Case Type
April Blair	Wayne	2	2	0	12	
Mike Douglass	Union	12	13	0	46	
Brian Hill	Rush	1	1	0	9	
E. Thomas Kemp	Wayne	1	0	0	0	
Terry O'Maley	Wayne	1	1	0	5	
Amy Noe	Wayne	1	1	1	5	
Dom Simkin	Wayne	3	3	0	24	
TOTAL: 7	<i>No total needed</i>	TOTAL: 21	TOTAL: 21	TOTAL: 1	TOTAL: 101	<i>No total needed</i>

2005 REPORT OF VOLUNTEER ATTORNEY LIMITED INFORMATION ACTIVITY IN DISTRICT 9

This limited legal information chart can include activities such as pro se clinics and call-in or walk-in informational services.

Please attach additional pages for each pro bono provider that receives IOLTA funding, whether directly or indirectly, in your district. See the sample additional pro bono provider page 4A.

Please list each attorney only once in the volunteer attorney column but complete one line for each type of legal information activity for that attorney.

Name of Pro Bono Provider (includes legal service provider, court, plan administrator, bar association, and other organizations): _____

Volunteer Attorney Name	County	Type of Activity	Number of Hours
Michael Douglas	Union	CASA Director	110
	Union	Supervise Visitation	3
	Union	Financial Counseling	1
Amy Noe	Wayne	Consult on Custody	1
	Wayne	Pro Se Divorce	1
Staci Terry	Wayne	Pro Se Divorce	1
	Wayne	Pro Se Divorce/Protective Order	1.5
	Wayne	Visitation	1
Brenda Wilhelm-Waggoner	Franklin	Landlord/Tenant	1
TOTAL: 4			TOTAL: 121.5
OVERALL VOLUNTEER ATTORNEY TOTAL:			OVERALL HOURS TOTAL:

2005 REPORT

Please list your District's 2005 activities--including committee meetings, training, attorney recognition, newspaper or magazine articles, marketing and promotion--in chronological order.

<u>Date</u>	<u>Activity</u>
01/20/05	District 9 Pro Bono Program Committee Meeting
02/03/05	District 9 Pro Bono Program Committee Meeting
02/17/05	District 9 Pro Bono Program Committee Meeting
04/04/05	District 9 Pro Bono Program Committee Meeting
05/16/05	District 9 Pro Bono Program Committee Meeting
08/15/05	District 9 Pro Bono Program Committee Meeting
10/20/05	District 9 Pro Bono Program Committee Meeting
02/03/05	April Blair was chosen as the NITA conference scholarship winner.
04/04/05	Tammy Henry was chosen as the new District 9 Pro Bono Program Administrator.
04/15/05	Mass mailing to registered attorneys within the District 9 Pro Bono Program regarding the announcement of the new plan administrator and reintroduce the District 9 Pro Bono Program to area attorneys.
12/8/05	CLE Seminar was held at the Fayette County Courthouse. Ten district attorneys participated earning CLE credits.

2005 REPORT

Please provide a short summary of how the provision of pro bono service is coordinated in your district, including the intake process, the relationships of pro bono providers in the district, how referrals are made, and how reporting is done.

The District 9 Pro Bono Program in 2005 received phone calls through their local and toll-free numbers. Information was taken from a potential client through an intake process to ensure as best as possible clients were income eligible as well as no conflict existed. After prioritizing these clients they were then matched with volunteer attorneys in the fields the attorney requested. A referral with a brief summary of the case was also forwarded to the attorney. Once the volunteer attorney agreed to take the case the client was contacted by the Plan Administrator with instructions regarding their initial appointment with the volunteer attorney. Status letters regarding each case were sent out to the volunteer attorneys in a timely manner. Reporting of hours was then submitted by the attorney upon conclusion of the case which was then documented by the Plan Administrator.

Please describe any special circumstances, including difficulties encountered, affecting your District's 2005 implementation of its plan.

There is the continual difficulty of attorney participation. This is primarily in the area of family law. There were also complaints from volunteer attorneys regarding difficult clients and lack of client cooperation. This contributes to apprehension from attorneys to take cases that appear difficult or lengthy. The Committee continues to address these issues with clients by providing client/attorney expectation brochures as well as a retainer that the client signs before meeting with the volunteer attorney.

Another setback for the District 9 Pro Bono Program was the vacancy of its plan administrator until April 2005. The office was temporarily closed during this time.

The Plan Administrator position is part-time in District 9, this contributes to the plan administrator being unable to implement and carry-out tasks they may feel are important or worthwhile due to time constraints. As a part-time administrator most of your time is spent returning phone calls and performing intakes on potential clients. Little time is left over to plan and implement new programs within the District. The Committee is discussing bringing the Plan Administrator to a full-time basis for the remaining time in 2006 and hopes there will be adequate IOLTA funds to maintain that through 2007.

BUDGETS for 2005, 2006 and 2007

Income Category	2005 Actual Income	2005 Budget	2006 Actual Income To Date	2006 Budget	2007 Budget
A. INCOME	-	-	-	-	-
1. IOLTA Grant Amount	17000.00	18000.00	15500.00	15500.00	35000.00
Other Income: <i>Explain source(s) and if Actual/Expected in narrative</i>					
2. Carryover from previous year	7209.57		12292.00	12292.00	5792.00
3.					
4.					
5. Total Income (sum of lines A1 - A4)	\$ 24209.57	\$ 18000.00	\$ 27792.00	\$ 27792.00	\$ 40792.00
Expense Category	2005 Actual Expenditures	2005 Budget	2006 Actual Expenditures To Date	2006 Budget	2007 Budget
B. PERSONNEL EXPENDITURES					
1. Plan Administrator	8327.57	7800.00	4000.00	17000.00	26000.00
2. Paralegals					
3. Others - Please explain					
4. Employee benefits					
a. Insurance					
b. Retirement plans					
c. Other - Please explain					
5. Total Personnel expenditures (sum of lines B1 - B4c)	\$ 8327.57	\$7800.00	\$ 4000.00	\$ 17000.00	\$ 26000.00
C. NON-PERSONNEL EXPENDITURES					
1. Occupancy	1416.67	2560.00		960.00	
2. Equipment Rental					1000.00
3. Office Supplies	140.05	500.00	277.06	500.00	2000.00
4. Telephone	1884.26	1440.00	817.77	1440.00	1700.00
5. Travel		500.00	60.00	500.00	1000.00
6. Training		500.00		600.00	500.00
7. Library					
8. Malpractice Insurance					
9. Dues and Fees					
10. Contingent Reserve					
11. Litigation Reserve					
12. Marketing and promotion		600.00	188.91	500.00	500.00
13. Attorney recognition	148.32	500.00	500.00	500.00	2000.00
14. Litigation expenditures					
15. Property Acquisition					
16. Contract Services					
17. Grants to other pro bono provid-					

ers					
18. Other - Please explain		1000.00			1000.00 website
19. Total Non-Personnel Expenditures (sum of lines C1 - C18)	\$ 3589.30	\$10200.00	\$ 1843.74	\$ 5000.00	\$ 8700.00
D. TOTAL EXPENDITURES (sum of B5 & C19)	\$11916.87	\$ 15400.00	\$ 5843.74	\$ 23000.00	\$ 34700.00
E. ENDING FUND BALANCE (A5 less D)	\$ 12292.70	\$ 2600.00	\$ 21948.26	\$ 5792.00	\$ 6092.00

Budget Narrative

Please provide descriptions of the following line items in the foregoing budget chart, by item number, in the space provided. Please explain any other budget entries that are not self-explanatory, including other sources of income.

Lines (B)(1), (2), (3), (4) Please indicate the number of hours per week for each personnel position, rate of pay, and all employee benefits.

B (1) Plan Administrator – Part –time 20 hours @ \$12.50 per hr. currently to be increased to 40 hours per week. No benefits. The 2006 budget reflects the cost to take the Plan Administrator to full time for the remainder of 2006.

Line (C)(1) Please describe the occupancy cost in terms of square footage, utilities or other amenities and indicate whether the occupancy cost is above or below the market rate for that space.

C (1) We do not pay rent for our space or pay utilities as we are currently located in the Wayne County Courthouse. We are responsible for our phone and DSL bills.

The cost for DSL service is included in our Verizon Phone Bill and is the standard business rate from Verizon, Inc.

Line C (18) Cost includes the projected expense for building a District 9 Pro Bono Program website.

ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due

The following representations, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

Operation under Rule 6.6

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to **Rule 6.6** of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to **Rule 6.6** (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to **Rule 6.6** (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results; and
- D. submit an annual report to the Commission.

Commitment to Pro Bono Program Excellence

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

- 1. Participation by the local bar associations and attorneys.** The associations and attorneys believe the program is necessary and beneficial.
- 2. Centrality of client needs.** The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available.
- 3. Program priorities.** The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal providers and other programs serving low-income people to assist in this process.
- 4. Direct representation component.** The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.
- 5. Coordination with state and local civil legal providers and bar associations.** The programs work cooperatively with the local civil legal providers. The partnerships between the civil legal providers and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.
- 6. Accountability.** The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.
- 7. Continuity.** The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.
- 8. Cost-effectiveness.** The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

9. Minimization of barriers. The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

10. Understanding of ethical considerations. The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided. The staff and volunteers are respectful of clients and sensitive to their needs.

11. ABA Standards. The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

Explanation of items stricken from the above Letter of Representation:

It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.

Signatures:

Judicial Appointee Signature

Date

Plan Administrator Signature

Date